

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Final Office Action dated January 29, 2007, the Advisory Action that issued April 11, 2007 and the telephonic interview conducted on May 8, 2007 between Examiner Hindi and Gregory L. Thorne, attorney for the Applicant. Reconsideration and allowance of the application in view of the remarks to follow are respectfully requested.

Claims 1-20 are pending in the Application. Claims 1, 7 and 15 are independent claims.

As a first point, the Applicant would like to thank the Examiner for the courtesies extended during the telephonic interview.

The claims are amended herein to replace prior claim language of "inherent function" with "function" to avoid an unfortunate misinterpretation of the term "inherent" as understood by a person of skill in the art. While it is respectfully submitted that it is altogether proper for the Applicant to act as his own lexicographer, it is believed that the removal of this term will help avoid any such misinterpretation.

It is respectfully submitted that claim 1 of the present system recite, and claims 7 and 15 also similarly recite, amongst other patentable elements, (illustrative emphasis provided), "[a] data carrier comprising demonstration control data configured to control a demonstration of a function of a playback device wherein the function includes use of an external data network wherein the data carrier is configured to simulate access to the external network regardless of whether the external data network is currently available." It is further submitted that Katsutoshi alone or together with Jacober do not disclose or suggest the features recited in claims 1, 7 or 15.

Based on the foregoing and the arguments provided in the Amendment After Final Action previously submitted, which arguments are incorporated herein by reference thereto, the Applicant respectfully submits that independent Claims 1, 7 and 15 are patentable over Katsutoshi and notice to this effect is earnestly solicited. Claims 2-6, 8-14 and 16-20 each depend from one of Claims 1, 7 and 15 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of said claims.

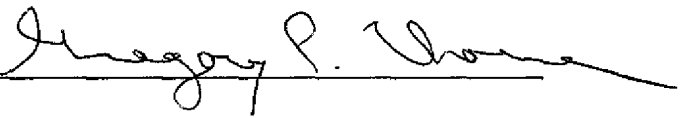
It is further respectfully submitted that, Katsutoshi, Jacober, and any combination thereof do not disclose or suggest a data carrier "further configured to simulate access to the external data network by simulating a connecting process over a network interface to the external data network" as required by claims 17 and 19; nor a data carrier "further configured to simulate a waiting time for access to network services" as required by claims 18 and 20.

It is respectfully requested that at least separate consideration of each of the dependent claims be provided.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicant has made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

Gregory L. Thorne, Reg. 39,398
Attorney for Applicant(s)
May 8, 2007

THORNE & HALAJIAN, LLP
Applied Technology Center
111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101